

**BERNSTEIN & ASSOCIATES**

ATTORNEYS AT LAW, P.C.  
6600 PEACHTREE DUNWOODY ROAD, N.E.  
EMBASSY ROW 400, SUITE 495  
ATLANTA, GEORGIA 30328-1649

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PATENT, TRADEMARK,  
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**TO:** W. Watkins, III

**DATE:** December 18, 2002

**COMPANY:** USPTO TC 1772 AF

**FAX NO.:** 703-872-9311

**FROM:** Jason A. Bernstein

**FILE NO.:** 1115-1-13

**TOTAL PAGES (including this cover page):** 32

**Message:**

**AFTER FINAL**

RCE+preliminary amendment+petition are attached. Please deliver to the examiner. Thank you.

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**BY:** JAB

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**OFFICIAL**

14/10  
12/20/02  
PC

Patents

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Oomman P. Thomas et al.

Serial No.: 09/474,043

Filed: December 28, 1999

For: BREATHABLE COMPOSITE ELASTIC  
MATERIAL HAVING A CELLULAR ELASTOMERIC  
FILM LAYER AND METHOD OF MAKING SAME

Atty Docket No.: 1115-1-13

Customer ID 25207

Group Art Unit: 1772

Examiner: W. Watkins, III

Confirmation No. 1780

RCE PRELIMINARY AMENDMENT

Box AF  
Assistant Commissioner for Patents  
Washington, DC 20231

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Sir:

In response to the Office Action mailed June 18, 2002, please amend the application as follows:

In the Claims:

Please amend the claims as follows:

OFFICIAL

33. (Twice Amended) A breathable cellular elastomer film or filament material having cells created therein by a cell opening agent, said material being essentially free of polystyrene homopolymer and having at least a portion of said cells being closed, said material being breathable and having an elongation at break of from about 300 to about 600 percent.